

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE:)
) Case No. 3:09-05808
5K UTILITY AND CONSTRUCTION, INC.) Chapter 11
) Judge Lundin
DEBTOR)
)

WIRTH BUSINESS CREDIT'S JOINDER IN OBJECTION TO CONFIRMATION OF
DEBTOR'S PROPOSED PLAN

Comes now Wirth Business Credit ("Wirth"), a secured creditor and through undersigned counsel joins National City's Objection to Confirmation of Debtor's Plan and Supplemental Statement in Support of Lender's Omnibus Objection and would object to confirmation of Debtor's Proposed Plan on the same grounds as outlined in the motion filed by National City Bank ("NCB") and National City Equipment Finance ("NCEF"). Additionally Wirth objects Debtor's Plan based on the valuation of the collateral and would state that the valuation placed on the collateral in Debtor's Proposed Plan is substantially below the actual value of the collateral.

WHEREFORE, premises considered, Wirth respectfully asks this Court to deny confirmation of the Proposed Plan and for such further and general relief as it may be entitled.

Respectfully submitted.

/s/ Christopher W. Conner
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CERTIFICATE OF SERVICE

Notice of this filing will be sent through the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties shall be served via U.S. Mail.

/s/ Christopher W. Conner
Christopher W. Conner